



Appeal Decision

Site visit made on 12 August 2025

by **D J Barnes MBA BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 August 2025

Appeal Ref: APP/X3025/D/25/3368781

1 Ferguson Avenue, Mansfield Woodhouse, Nottinghamshire NG19 8DS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Anthony Keeton against the decision of Mansfield District Council.
 - The application Ref is 2025/0296/HHA.
 - The development proposed is the erection of a 1.8 metre high fence mad up with concrete posts and plinths and wood panels to front of property.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the surrounding area, in particular the streetscene.

Reasons

3. The proposed development includes the replacement of a high hedge, which forms part of the appeal property's boundary with Ferguson Avenue, with a circa 1.8 metre high wooden fence. The property is located adjacent to the junction of Ferguson Avenue with Vale Road. The appellant claims that the proposed fence would provide greater safety and security for the occupiers of the property when compared to the hedge, particularly because of some of the items which are being deposited within the hedge by people walking along the footway.
4. Within the surrounding residential area the front boundaries of the dwellings are generally defined by low fences, walls and hedges. There are, as the appellant has identified, some examples of taller wooden fences but, as noted during the site visit, they are not a common feature or characteristic of the surrounding area. Further, the detailed planning circumstances of the tall fences have not been provided and, as such, only limited weight is given to these other schemes in the determination of this appeal.
5. None of the other dwellings fronting Ferguson Avenue possesses a tall wooden fence as part of their front boundaries. Similarly, the dwellings fronting Vale Road adjacent to the property possess low fences, walls and hedges. The types of front boundary, together with the dwellings being sited away from the footways to the

rear of front gardens which are landscaped or used for parking, creates an open character and spacious appearance along the streetscene, especially around the junction.

6. Although of a similar height, the existing hedge is not as visually dominant within the streetscene when compared to the tall wooden fences which were observed during the site visit. By reason of its height, the proposed fence would not reflect the front boundaries of other dwellings fronting Ferguson Avenue and Vale Road. Further, because of its prominent siting close to the junction and solid form of construction, the proposed fence would be a conspicuous and visually dominant form of development which would cause unacceptable harm to the open character and spacious appearance of the streetscene.
7. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area, in particular the streetscene, and, as such, it would conflict with Policy P2 of the Mansfield District Local Plan (LP). Amongst other matters, this policy refers to developments being appropriate to its context in terms of materials, creating attractive streetscapes and spaces.
8. LP Policy P1 refers to major developments rather than householder schemes. LP Policy P6 references home extensions and alterations rather than the erection of a means of enclosure. In the absence of details concerning the Mansfield District Council Landscape Character Assessment and whether the property is within a particular Landscape Character Zone, no judgement has been reached on whether the appeal scheme conflicts with LP Policy NE1.
9. Although the claims of the appellant concerning health and safety matters have been carefully considered, they do not outweigh the unacceptable harm which has been identified. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR